1 2 3 4 5 6	KILPATRICK TOWNSEND & STOCKTO GREGORY S. GILCHRIST (State Bar No. RYAN T. BRICKER (State Bar No. 26910 ALEXANDRA N. MARTINEZ (State Bar Nineteenth Floor, Two Embarcadero Center San Francisco, California 94111 Telephone: (415) 576-0200 Facsimile: (415) 576-0300 Email: gilchrist@kilpatricktownsend. rbricker@kilpatricktownsend. amartinez@kilpatricktownsend.	111536) 0) No. 317382) r			
7	Attorneys for Plaintiff PATAGONIA, INC.				
8					
9	UNITED STATES DISTRICT COURT				
10	FOR THE CENTRAL DISTRICT OF CALIFORNIA				
11	WESTERN DIVISION – LOS ANGELES				
12					
13	PATAGONIA, INC.,	Case No. 2:18-cv-03868 FMO (RAOx)			
14	Plaintiffs,	FINAL JUDGMENT AND			
15	v.	PERMANENT INJUNCTION AS TO MARYKATE WORTHINGTON			
16	MARYKATE WORTHINGTON, et al.,				
17	Defendants.				
18	Defendants.				
19					
20	Plaintiff Patagonia, Inc. ("Patagonia") has filed a Complaint alleging			
21	counterfeiting, trademark infringement, unfair competition, and copyright				
- 1	compensed, was replied to				

infringement under federal law against co-defendant MaryKate Worthington.

Ms. Worthington has imported, promoted, distributed, offered, and sold apparel

products, bearing one or more identical or substantially indistinguishable imitations

of Patagonia's federally registered marks (the "Counterfeit Products") using social

media, including Facebook user accounts or Facebook Groups. Ms. Worthington

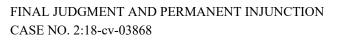
consents to entry of judgment and permanent injunction, including the facts and

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conclusions below, to resolve this matter.



The Court now enters final judgment based upon the following undisputed facts. Each party has waived the right to appeal from this final judgment and each party will bear its own fees and costs in connection with this action.

I. FACTS AND CONCLUSIONS

A. This Court has subject matter jurisdiction over this lawsuit and personal jurisdiction over Ms. Worthington. Venue is proper in this Court.

B. Patagonia owns numerous registrations for the PATAGONIA trademark, and for its distinctive logo depicting the Mt. Fitz Roy skyline (the "Fitz Roy Design"), for a wide ranging assortment of products. Among these are the following U.S. trademark registrations:

Trademark	Reg. No. / Reg. Date	Goods	Date of First Use
PATAGONIA	1189402/ February 9, 1982	Men's and Women's Clothing-Namely, Sweaters, Rugby Shirts, Walking Shorts, Trousers, Jackets, Mittens, Hoods and Rainwear.	08/1974
patagonia	1294523/ September 11, 1984	Men's, Women's and Children's Clothing- Namely, Jackets, Pants, Vests, Gloves, Pullovers, Cardigans, Socks, Sweaters, Underwear, Shirts, Shorts, Skirts and Belts	08/1974- 1981
patagonia	1775623/ June 8, 1993	Luggage back packs, and all-purpose sports bags	08/1988
PATAGONIA	1811334/ December 14, 1993	Luggage, back packs, fanny packs and all- purpose sport bags, foot- wear, ski bags and ski gloves	08/1990

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Trademark	Reg. No. / Reg. Date	Goods	Date of First Use
PATAGONIA	2260188/ July 13, 1999	Computerized on-line ordering activities in the field of clothing and accessories; Providing information in the field of technical clothing and accessories for use in recreational, sporting and leisure activeties; providing information in the field of existing and evolving environmental issues	10/1995
PATAGONIA.COM	2392685/ October 10, 2000	On-line retail store and mail order services featuring technical clothing, footwear, and accessories; Computer services in the nature of on-line information related to the environment and clothing	10/1995
PATAGONIA	2662619/ December 17, 2002	Retail store services featur- ing clothing, footwear, luggage and a wide variety of sporting goods and accessories	06/1986

These registrations for the PATAGONIA mark and logos are in full force and effect. The registrations have become incontestable under 15 U.S.C. § 1065. Collectively, these marks, Patagonia's other registered trademarks, and its common law marks are referred to as the "PATAGONIA trademarks." A color image of the Fitz Roy Design follows:





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C. Ms. Worthington acquired inventory of Counterfeit Products from Wholesale Flourish Show, and promoted, distributed, offered, and sold such Counterfeit Products.

II. PERMANENT INJUNCTION AND AWARD

It is hereby ordered and adjudged as follows:

- A. Commencing as of the "So Ordered" date of this Final Judgment and Permanent Injunction, Ms. Worthington, her agents, employees, attorneys, successors, assigns, affiliates, joint ventures, and any person(s) in active concert or participation with her, and/or any person(s) acting for, with, by, through, or under her control who receive actual notice of this Order, are hereby permanently enjoined and restrained, anywhere in the world, directly or indirectly, from doing, authorizing or procuring any persons to do any of the following:
- 1. Manufacturing, producing, sourcing, importing, selling, offering for sale, distributing, advertising, or promoting any goods or services that bear reproductions of the PATAGONIA Trademarks;
- 2. Manufacturing, producing, sourcing, importing, selling, offering for sale, distributing, advertising, or promoting any goods or services that display any words or symbols that so resemble the PATAGONIA trademarks as to be likely to cause confusion, mistake, or deception, on or in connection with any product that is not authorized by or for Patagonia;
- 3. Using any word, term, name, symbol, device, or combination thereof that causes or is likely to cause confusion, mistake, or deception as to the affiliation or association of Ms. Worthington or her products with Patagonia or as to the origin of Ms. Worthington's goods, or any false designation of origin, false or misleading description or representation of fact, or any false or misleading advertising;

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